

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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:
: SEAN JOHNSON, :
: :
: Plaintiff, : 23-CV-5378 (JMF)
: :
-v- :
: :
: CITY OF NEW YORK, et al., :
: :
: Defendants. :
: :
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JESSE M. FURMAN, United States District Judge:

On September 16, 2023, Plaintiff filed a motion for entry of a default judgment under Rule 55 of the Federal Rules of Civil Procedure and Local Civil Rule 55.2(b). *See* ECF No. 22.

“It is well settled that a court may not properly enter a default judgment unless it has jurisdiction over the party against whom the judgment is sought, which means that [each defendant] must have been effectively served with process.” *Cont'l Indem. Co. v. Bulson Mgmt., LLC*, No. 20-CV-3479 (JMF), 2022 WL 1747780, at *2 (S.D.N.Y. May 31, 2022) (internal quotation marks omitted). No later than **September 27, 2023**, Plaintiff shall submit a letter brief addressing whether service on Defendants was proper. *See* ECF No. 21; *see also*, e.g., Fed. R. Civ. P. 4(e) (providing the methods for service on individuals).

Additionally, Plaintiff shall serve a copy of his letter brief on the New York City Law Department (i.e., the Corporation Counsel) by **September 28, 2023**, and shall file proof of such service by **September 29, 2023**.

Finally, the Court notes that Plaintiff has repeatedly filed documents incorrectly on ECF, resulting in multiple deficiency notices from the Clerk’s Office. Counsel should take steps to ensure that all future filings comply with the Southern District of New York Electronic Case Filing Rules & Instructions and that all deficiency notices are promptly addressed.

In light of the foregoing, the initial pretrial conference previously scheduled for October 5, 2023, is ADJOURNED to **December 7, 2023**, at **9:00 a.m.**

SO ORDERED.

Dated: September 20, 2023
New York, New York



JESSE M. FURMAN
United States District Judge